

Wage, preschool bills pass review

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State lawmakers advance a slew of measures as the legislative session moves to midpoint

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The state House and Senate on Tuesday endorsed a new state-funded preschool initiative, a loan program that may help consumers afford solar-energy devices, an increase of the minimum wage and an unemployment insurance tax break for businesses.

Hundreds of bills were up for votes Tuesday to prepare for first crossover on Thursday, the deadline for the House and Senate to exchange legislation at the midpoint of the 60-day session.

Lawmakers moved to curtail solar tax credits, extend an increase to the hotel room tax and begin to deal with an unfunded liability in the public worker health fund. They also voted to keep alive a cash incentive for entrepreneurs, a middle-class income tax break and expansion of tax credits for film production.



Senate President Donna Mercado Kim (D, Kalihi Valley-Moana-lua-Halawa) said legislators will not know how much money they have to spend on new initiatives until the two-year budget takes shape. The House Finance Committee is expected to review the House draft of the budget today so it can be sent to the Senate next week. Lawmakers are also waiting to see whether the state Council on Revenues adjusts the revenue forecast next week and whether the Abercrombie administration will reach agreement with any labor union for public employees on new contracts before session ends in May.

"That will dictate a number of the bills that require funding, so that has a huge effect," Kim said of the budget. "I think we have the issue of early education, the issue on minimum wage — those are all items that have to be discussed. And, of course, we're waiting to see if there are going to be any collective bargaining agreements coming down."

Gov. Neil Abercrombie's call for state-funded preschool could be the most intricate policy debate of the session. Legislators have advanced bills that would at first target at-risk 4-year-olds who will no longer be eligible for junior kindergarten, which is ending before the 2014-2015 school year, and could eventually expand to include all 4-year-olds statewide. Voters would be asked in a constitutional amendment on the ballot next year whether public money can be used for private preschool.



Steven

Tyler:

*The Senate passed
his namesake bill
to protect celebrities'
privacy*

"If we truly want to strengthen our K-12 pipeline, then we need to make sure our children are ready to learn when they enter our schools," said Sen. Jill Tokuda (D, Kailua-Kaneohe), adding that Hawaii is one of 11 states without a publicly funded early learning system.

Other lawmakers are concerned about the potential cost of preschool and whether the state can produce a high-quality program that will be effective. Sen. Rosa-lyn Baker (D, West Maui-South Maui) said she is worried lawmakers "are headed down a slippery slope to vouchers."

Lawmakers have tentatively embraced Abercrombie's proposal to redevelop underused public school land to generate money to modernize schools. The Senate advanced a three-year pilot project at two school sites that would be overseen by Lt. Gov. Shan Tsu-tsui. The House moved a test that could involve up to five school properties that would be overseen by the state Department of Education. Neither option includes the kind of exemptions from land use regulations that led to the public backlash that sank the Public Land Development Corp.

Rep. Roy Takumi (D, Pearl City-Wai-pio-Pearl Harbor), responding to complaints from Rep. Gene Ward (R, Kalama Valley-Queen's Gate-Hawaii Kai) that the school redevelopment bill had the DNA of the PLDC, said "that's like saying you can sense the DNA of a kitty cat in the saber-tooth tiger. But I don't think anybody would confuse a cat with a saber-tooth tiger."

Squeamish about anything that resembles the PLDC, senators agreed to amend a bill that would establish a new Public-Private Partnership Authority to strip out the ability for counties to waive zoning, land use and permitting requirements on development projects.

Lawmakers advanced bills that would require hospitals to inform sexual assault victims about emergency contraception and dispense the treatment on request, an idea that has previously failed at the Legislature. Sen. Josh Green (D, Naalehu-Kailua-Kona), an emergency room doctor, said no woman should have to endure the possibility of pregnancy from rape. Senate Minority Leader Sam Slom (R, Diamond Head-Kahala-Hawaii Kai) sought to add a religious exemption to the Senate bill, but his amendment was overwhelmingly defeated. The House also rejected a "conscience clause" amendment from Rep. Richard Fale (R, Waia-lua-Kahuku-Wai-ahole).

The Senate backed a bill that would increase the conveyance tax on high-priced real estate deals to help finance watershed protection.

In the House, lawmakers approved a bill that would allow Election Day voter registration to encourage greater voter participation.

In a potentially landmark vote, the House supported a "right to know" bill that would require imported genetically modified produce to carry labels. Some farmers and businesses have strongly opposed the bill because they say food labeling should be handled at the federal level.

"Our job is not to run away from controversy, ignore or marginalize people's passionate concerns," said Rep. Jessica Wooley (D, Kaha-luu-Ahui-manu-Kaneohe). "Our job is to make better policy for all the people of Hawaii."

In the Senate, lawmakers pushed out a bill that would allow state historic preservation reviews on construction projects to be done in phases instead of all at once, a response to the state Supreme Court ruling last year that halted the Hono-lulu rail project. The Abercrombie administration has warned that the court's ruling set a precedent that could make it difficult to build highway projects. Sen. Clayton Hee (D, Heeia-Laie-Waia-lua), however, called the bill a "slap in the face to the iwi kupuna who have been resting in place."

Senators moved a bill that would decriminalize the possession of up to one ounce of marijuana but set a \$1,000 fine. Sen. J. Kalani English (D, Molokai-Lanai-Upcountry Maui-Hana) said he hoped the amount of the fine would be negotiated with the House, which has previously rejected similar bills. But he said decriminalization would represent a fundamental policy shift in the state's approach to the drug.

The Senate also advanced an anti-paparazzi bill known as the Steven Tyler Act for the Aerosmith singer who has a home on Maui. Photographers could be subject to civil lawsuits if they photograph celebrities engaged in personal or familial activities at home.

The bill has received national attention — and some mockery — as a potential threat to legitimate news-gathering. "We have been the butt of many editorials and jokes across the country for this proposed legislation," Slom said. "We have strong privacy rules right now. We have it in our constitution. We have it in our laws."

Slom urged Tyler to "Dream On" — the title of one of Aerosmith's songs.

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